

**SOUTH DAKOTA DEPARTMENT OF EDUCATION
SPECIAL EDUCATION PROGRAMS**

**Garretson School District
Continuous Improvement Monitoring Process Report 2004-2005**

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Date of Report: December 21, 2004

This report contains the results of the steering committee's self-assessment and the validation of the self-assessment by Special Education Programs. The report addresses six principles – General Supervision, Free Appropriate Public Education, Appropriate Evaluation, Procedural Safeguards, Individualized Education Program and Least Restrictive Environment. Each principle is rated based on the following scale:

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|---------------------------|---|
| Promising Practice | The district/agency exceeds this requirement through the implementation of innovative, high-quality programming and instructional practices. |
| Meets Requirements | The district/agency consistently meets this requirement. |
| Needs Improvement | The district/agency has met this requirement but has identified areas of weakness that left unaddressed may result in non-compliance. |
| Out of Compliance | The district/agency consistently does not meet this requirement. |
| Not applicable | In a small number of cases, the standard may not be applicable for your district/agency. If an item is not applicable, the steering committee should briefly explain why the item is NA. Example – no private schools within the district boundaries. |

Principle 1 – General Supervision
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General supervision means the school district's administrative responsibilities to ensure federal and state regulations are implemented and a free appropriate public education is provided for each eligible child with a disability. The specific areas addressed in principle one are child find, referral procedures, children voluntarily enrolled by parents in private schools, students placed by the school district, improving results through performance goals and indicators (assessment, drop out, graduation), professional development, suspension and expulsion rates.

Steering Committee Self-Assessment Summary

Data sources used:

B – District Instructional Staff Information

C – Suspension and Expulsion Information

D – Statewide Assessment Information

E – Enrollment Information

- General District Information
- Surveys
- Student progress data
- Surveys
- Private school information
- Comprehensive plan
- Teacher Assistance Team (TAT): referral vs. non referral information
- Screenings

Meets Requirements

The steering committee determined that the Garretson School District has an established and effectively implemented ongoing child find system to locate, identify, and evaluate children with disabilities, ages birth through 21 years who may need special education. The district's child find activities are implemented annually through a combination of informing the public through newspaper articles, annual screening programs and on-going referrals from a variety of sources. Child find activities for private and home-schooled children are comparable to child find activities for public school children including the evaluation process.

The steering committee determined that the Garretson School District has an effective pre-referral and referral system in place to ensure students are identified without unnecessary delay. The district/agency has an identified system of receiving referrals: through screening, from the classroom teacher; from other district/agency personnel, from other public or private agencies; and from private schools, including religious schools. The district comprehensive plan specifies the system used for receiving and documenting referrals. There is an identified process upon receiving referrals, including either an informal review or proceeding with the evaluation process.

The steering committee determined that the Garretson School District does provide for children with disabilities that are eligible for special education and are voluntarily enrolled in private schools by their parents to participate in services in accordance with the requirements of Individuals with Disabilities Education Act. The school district conducts an annual count by December 1 of the number of private school children with disabilities who are eligible for special education as determined by an appropriate evaluation. However, there are no private schools in the district.

The steering committee determined that when Garretson School District refers or places a child with disabilities in a private school or facility, the school district ensures special education and related services are provided in accordance with requirements of Individuals with Disabilities Education Act. A representative from both the district and private facilities are present at the IEP meetings as documented by their signatures on the IEPs for all students who are in private facilities or out of district placements. Services are provided at no cost to the parent, including reimbursement to the parent for transportation and other costs associated with participation at an IEP meeting conducted in a geographical area outside the jurisdiction of the school district. The district comprehensive plan procedures regarding the provision of services at no cost to parents meets the state/federal requirements. The placement in the private school or facility is the least

restrictive environment for that child. However, at this time the district has no students who are in private facilities or out of district placements.

The steering committee determined that the Garretson School District uses a data based decision-making procedure to review and analyze school district-level data to determine if the school district is making progress toward the state's performance goals and indicators. The school district includes all children with disabilities in state, district-wide, or alternate assessments. According to the SAT 9 participation data table D; zero students have required the use of an alternative assessment in the past 3 school years. Based upon SAT- 9 participation data table D, the district submits assessment participation data to the state annually.

The steering committee determined that the Garretson School District reviews and analyzes discipline data and revise policies/procedures to determine if significant discrepancies are occurring between the long-term suspension and expulsion rates for children with and without disabilities. Based upon the suspension and expulsion data (table C) the district has not placed a student in an alternative educational setting. The comprehensive plan procedures meet the requirements for collecting data when children with disabilities are placed in alternative educational settings. The school district/agency ensures the suspension and expulsion data that it collects and reports to the SEP is accurate. Based upon the suspension and expulsion data (table C), the district reports suspension and expulsion data to SEP as required. The school district/agency revises policies, procedures, and practices as necessary in relation to the development and implementation of IEPs, the use of behavioral interventions, and procedural safeguards. The district comprehensive plan procedures meet the requirements of the state and federal guidelines.

The steering committee determined that the Garretson School District ensures they employ or contract with an adequate supply of personnel who are appropriately supervised, and fully licensed or certified, to work with children with disabilities. The district comprehensive plan has established procedures for the employment of special education personnel who have the special education endorsements as required in state rules, including child evaluators. The school district/agency ensures that any individuals lacking full certification and training are making satisfactory progress toward completing applicable course work necessary to meet South Dakota's highest standards for the profession or discipline within a period of three years. 100% of the Garretson School District special education staff meets state certification or licensure requirements for the provision of special education. The school district/agency has policies and procedures for the supervision and evaluation of all certified/licensed or contracted employees. The district has policies and procedures in place regarding the supervision and evaluation of personnel performance.

The steering committee determined that the Garretson School District implements procedures to determine personnel development needs and take appropriate action to meet those identified needs. Parent and teacher surveys were used to determine this. District staff have completed in-service training needs assessments provided by various resources (school developed assessments, state assessments, and Prairie Lakes Cooperative assessments).

Validation Results

Meets Requirements

The review team agrees with all the areas identified by the steering committee as meeting requirements for general supervision. This was determined through file reviews, interviews and observations.

Principle 2 – Free Appropriate Public Education

All eligible children with disabilities are entitled to a free appropriate public education in the least restrictive environment. The specific areas addressed in principle two are the provision of FAPE to children residing in group homes, foster homes, or institutions, making FAPE available when a child reaches his/her 3rd birthday and providing FAPE to eligible children with disabilities who have been suspended or expelled from school for more than 10 cumulative days.

Steering Committee Self-Assessment Summary

Data sources used:

- The annual IDEA application for funds
- Parent surveys
- The district comprehensive plan
- Age and placement alternative data (Table I)
- The district tracking system that monitors numbers and frequency of removals of students with disabilities for disciplinary reasons.

Meets Requirements

The steering committee determined that the Garretson School District provides a free appropriate public education (FAPE) to all eligible children with disabilities. Parent surveys indicate parents are satisfied with the education program and services provided to their children. Services include preschool, elementary, and secondary education that meet the education standards, regulations, and administrative policies and procedures issued by the Office of Educational Services and Support/Special Education Program. The district provides special education services to students' ages 0 to 21. The district comprehensive plan policies support the provision of FAPE to students who reside in the district, group home, foster home or institutions by approval of the regulations set forth by the State.

The steering committee determined that the Garretson School District ensures that eligible children with disabilities who have been suspended or expelled from school for more than 10 cumulative school days are being provided FAPE. If the school district reports a crime, special education and disciplinary records are forwarded to law enforcement consistent with Family Education Right and Privacy Act (FERPA). Special education and disciplinary records are forwarded to school personnel making disciplinary decisions. The school district uses positive and proactive procedures to address misconduct such as school-wide discipline policies, instructional/related services, conflict management, and behavior intervention strategies. The district/agency has a tracking system in place to monitor the number and frequency of removals

of students with disabilities for disciplinary reasons. The district has trained administrative staff on policy and procedures when considering the removal of students with disabilities.

Validation Results

Meets Requirements

The review team agrees with all the areas identified by the steering committee as meeting requirements for free and appropriate public education. This was determined through file reviews, interviews and observations.

Principle 3 – Appropriate Evaluation

A team of knowledgeable staff, which also includes parental input, conducts a comprehensive evaluation. A valid and reliable evaluation will result in effective individualized education programs for eligible students. The specific areas addressed in principle three are written notice and consent for evaluation, evaluation procedures and instruments, eligibility determination, reevaluation and continuing eligibility.

Steering Committee Self-Assessment Summary

Data sources used:

- The district comprehensive plan
- Review of files

Meets Requirements

The steering committee determined that the Garretson School District provides appropriate written notice and obtain informed consent before assessments are administered to a child as part of an evaluation or reevaluation. Informed parental consent is obtained before conducting any evaluation affecting eligibility status (initial and re-evaluations). In 100% initial evaluations reviewed, documentation of informed parental consent was available. Parental consent for re-evaluation was obtained in 100% of the student files reviewed. All tests listed on the prior notice/consent were administered in 100% of the files reviewed. For re-evaluation, the district/agency makes reasonable attempts to obtain the parents' consent. It proceeds with conducting the reevaluation if the parent fails to respond to the request for consent. The district/agency documents its efforts to obtain consent. If the parent denies consent, the district/agency may request mediation or a due process hearing. The district provides the parent written notice five days prior to the district/agency proposing or refusing to initiate or change the child's identification or evaluation.

The steering committee determined that the Garretson School District ensures the evaluation or reevaluation procedures and instruments meet the minimum requirements. Areas to be evaluated are determined by a "team" of people including the referring person, special education teacher, parent, school psychologist and administrator. The district/agency provides the parent with the opportunity to provide input into the evaluation process. The school district/agency conducts a full-individualized initial evaluation, completed within 25 school days after receipt by the district/agency of signed parent consent to evaluate unless other timelines are agreed upon by the school administration and the parents. Tests and other materials are selected and administered so

as not to be discriminatory on a racial or cultural basis. All tests have been administered in each child's native language. Standardized tests have been validated for the specific purpose for which they are being used. A review of the tests administered by the district show that all are adequately standardized and valid. Standardized tests are administered by trained and knowledgeable personnel in accordance with any instructions provided by the producer of the tests. All tests are administered by qualified individuals per the requirements established by the test producers. Tests and other materials include those tailored to assess specific areas of educational need and not merely those that are designed to provide a single general intelligence quotient.

The steering committee determined that the Garretson School District ensures the proper identification of students with disabilities through the evaluation process. A copy of the evaluation report and documentation of determination of eligibility is given to the parent. Copies of the evaluation reports are sent to parents with the prior notice for the IEP meeting or given to them at the IEP meeting. Children are not identified as being a child with a disability if the reason for such a decision is lack of instruction in reading or math, or limited English proficiency. The Multi-Disciplinary Team (MDT) report documenting a learning disability includes: whether the child has a specific learning disability; the basis for making the determination; the relevant behavior noted during the observation of the child; the relationship of that behavior to the child's academic functioning; the educationally relevant medical findings, if any; whether there is a severe discrepancy between achievement and ability which is not correctable without special education and related services; and the determination of the team concerning the effects of environmental, cultural, or economic disadvantage.

The steering committee determined that the Garretson School District ensures reevaluations are conducted in accordance with all procedural requirements to ensure students are appropriately evaluated for continuing eligibility. Reevaluations were conducted at least every 3 years. Before reassessing, the evaluation team determines the nature and extent of the child's evaluation needs by reviewing existing data. On the basis of that review, and input from the child's parents, the IEP team identifies what additional evaluation data, if any, are needed. The district uses an informal process and team to review existing data before reassessing. Prior notice/consent was acquired before evaluations were administered in seven of seven student files reviewed (This includes consent for transition evaluation). Parent input into the re-evaluation process was documented in seven of seven files reviewed. If no additional evaluation information is needed, the district/agency provides written notice to the parent of their right to request additional assessments to determine if the child continues to have a disability. In the case of a child being dismissed from special education, the evaluation team utilizes reevaluation procedures to determine what additional data is needed in order to determine if the child is no longer a child with a disability, and no longer requires special education or special education and related services.

Validation Results

Meets Requirements

The review team agrees with the findings of the steering committee that data for reevaluations and continuing eligibility meets requirements.

Areas that need improvement

The review team determined through file reviews and interviews that the Garretson School District needs improvement in the area of written notice and consent for evaluation. The prior

notice for evaluation form used by Garretson School district does not provide for all the types of assessments that may need to be administered. For example, under the heading of Psychological it provides check boxes for achievement, intelligence, personality, behavioral and perceptual. Evaluators must choose from the afore mentioned areas, or drop further down the form under the heading "Other Assessments" and check other. There are no boxes for adaptive, social/emotional or attentional concerns (which could be included under the heading of Behavioral). Furthermore, the box for personality is not a required or considered necessary area of assessment, and could be deleted. This issue has been discussed with Garretson staff members, and a remedy is in the process of being implemented.

The review team determined through file reviews and interviews that the Garretson School District needs improvement in the area of proper identification of students with disabilities through the evaluation process, specifically in the area of functional assessment. Functional evaluation information is not consistently skill based. Skill based information would make it much easier to identify academic strengths and weakness on the PLOP (Present Level of Performance on the IEP) and can subsequently be used to write goals and objectives.

Areas out of compliance

ARSD 24:05:30:05. Content of notice.

The notice must include the following: A description of each evaluation procedure, test, record, or report that the district uses as a basis for the proposal or refusal. In three out of four files of transition age students, no prior notice consent for a transition evaluation was seen.

Principle 4 – Procedural Safeguards

Parents of children with disabilities have certain rights available. The school makes parents aware of these rights and makes sure they are understood. The specific areas addressed in principle four are adult student/transfer of rights, content of rights, consent, written notice, confidentiality and access to records, independent educational evaluation (IEE), complaint procedures, and due process hearings.

Steering Committee Self-Assessment Summary

Data sources used:

- File review
- Parent surveys
- School Information
- School District Comprehensive plan

Meets Requirements

The steering committee determined that the Garretson School District ensures parents are informed of their parental rights under Individuals with Disabilities Education Act. The special education parental rights document is provided to the parent when: an initial referral to consider a special education evaluation is made; an invitation to an IEP team meeting is sent; the parents are informed of the need to conduct a reevaluation; and upon receipt of a request for a due

process hearing. In all files reviewed the parental rights information was given to parents with every prior notice/consent sent and at every IEP team meeting.

The steering committee determined that the Garretson School District ensures that parents have been fully informed in their native language or another mode of communication (if necessary) of all information relevant to the activity for which consent is sought. The district's request for consent document contains all required information. The definition of consent is included on the consent for use by the district. Parents understand and agree in writing to the carrying out of the activity for which consent is sought. Consent from the parent is obtained prior to the initial provision of special education and related services to a student with a disability.

The steering committee determined the Garretson School District ensures the rights of a child are protected if no parent can be identified. The school district/agency has policies and procedures to appoint a surrogate parent for a child with a disability when a parent cannot be located. The comprehensive plan procedures address the appointment of surrogate parents. These procedures meet regulatory requirements. A list of individuals who would serve as a surrogate parent if needed is not available in the district at this time. The foster parent would typically be assigned as the surrogate parent if parental rights have been terminated.

The steering committee determined that the Garretson School District provides the parents of a child in need of special education or special education and related services with the opportunity to inspect and review all educational records concerning the identification, evaluation, and educational placement of the child and the provision of a free appropriate public education. The district comprehensive plan procedures meet the requirements regarding disclosure of student information. The school district/agency maintains a log of requests for and access to education records if disclosed to unauthorized persons and the log includes the name, agency affiliation, date and purpose for accessing request. The school district allows the parent to inspect and review any record relating to educational matters that is collected, maintained, or used by the school district/agency: without delay but no later than 45 days after the request; before any meeting regarding an IEP; and at least five business days before any due process hearing. Copies of education records are provided if a parent would otherwise be unable to exercise his or her right to inspect and review the records. The district allows the disclosure of personally identifiable information without consent in accordance with the Family Educational Rights and Privacy Act and Individuals with Disabilities Education Act (IDEA). This includes referral to and action by law enforcement and judicial authorities and other school officials with legitimate educational interests.

The steering committee determined that the Garretson School District has policies and procedures in place for responding to complaint actions that ensure compliance. The school district cooperates and forwards information to the OEES/SEP as necessary to resolve a complaint. The district has had no complaints filed with Special Education Program in the past years. The school district takes corrective actions if required as part of a complaint resolution.

The steering committee determined that the Garretson School District has policies and procedures in place for responding to requests for due process that ensure compliance. When a school district/agency receives an oral or written request for any type of due process hearing, the OEES/SEP is notified immediately. The district has not had a request for a due process hearing within the past years. The district/agency does not deny or delay a parent's right to a due process hearing if the parent fails to participate in mediation or fails to provide the notice required. The district has not had a request for a due process hearing within the past years. The district/agency has procedures that require the parents of a child with a disability or the attorney

representing the child to provide notice to the district/agency upon making a request for a due process hearing. The district has not had a request for a due process hearing within the past years. Due process hearing procedures are specified in the district's comprehensive plan.

Validation Results

Meets Requirements

The review team agrees with all the areas identified by the steering committee as meeting requirements for procedural safeguards. This was determined through file reviews, interviews and observations.

Principle 5 – Individualized Education Program

The Individualized Education Program (IEP) is a written document for a child with a disability that is developed, reviewed and revised by the IEP team, which includes the parent. The specific areas addressed in principle five are IEP team, IEP content, transition components for secondary IEPs, annual reviews, transition from early intervention program, and IEP related issues.

Steering Committee Self-Assessment Summary

Data sources used:

- File Reviews
- Surveys of parents, teachers and students
- District Comprehensive Plan

Meets Requirements

The steering committee determined that the Garretson School District ensures that written notice is provided for all IEP meetings, and includes all required content.

The steering committee determined that the Garretson School District ensures the IEP team is comprised of appropriate team membership and meets all identified responsibilities.

Validation Results

Meets Requirements

The review team agrees with the areas identified by the steering committee as meeting requirements for written notice and appropriate team membership. This was determined through file reviews, interviews and observations.

Areas that need improvement

The review team has concerns about how transition is addressed within the IEP. While service recommendations are included in the IEP, they do not consistently link back to any goals.

Areas out of compliance

24:05:27:01.03. Content of individualized education program

Each student's individualized education program shall include a statement of the student's present levels of educational performance. The monitoring team determined that in six out of twenty five files, the present levels of performance were not linked to functional information gathered during the evaluation process and functional evaluation information was not linked to the general curriculum. The present levels of performance page contained such statements as: “_____ likes to be around other children, increasingly interacts with other children. . .” Another reported test scores from intelligence and achievement tests instead of skill based information.

24:05:28:01.03. Content of individualized education program

The IEP must also contain a justification statement. Each student's individualized education program shall include an explanation of the extent, if any, to which the student will not participate with non-disabled students in the regular class and in extracurricular and non-academic activities. In seven of the files reviewed, the focus was on what the student needed to do, rather than the reason for accepting a particular placement in which services are provided. These statements included: “General classroom with modifications has been accepted by the placement committee. X needs to be in the classroom for general instruction and additional help with organization and follow through on classroom directions. X benefits from peer interaction and peer modeling receives in the classroom. X will receive services in the classroom and/or resource room in small groups or individually.” “X needs the classroom instruction and peer modeling/tutoring they receive in the general classroom. “X will receive support through modification/accommodations and inclusive services.”

24:05:27:02 Continuum of Alternative Placement

The IEP must address the special education and related services to be provided, the amount, and the location of services. In seven files containing related services, the location for services was identified as occurring in two locations, either the classroom or the therapy room.

ARSD 24:05:25:26 Extended School Year (ESY)

When determining the need for ESY, the district may not limit extended school year services to a particular category of disability, unilaterally limit the type, amount or duration of those services or apply a regression/recoupment criterion for children in need of prolonged assistance. The need for extended school year services must be addressed each year for all students eligible for special education. In two files there was prior notice for a meeting to determine the need for ESY, and there was no documentation that the meeting took place. In two other files the need for ESY was not addressed. In all, eight out of twenty five files had deficiencies with how ESY was addressed. These included no information about plan, goal numbers etc.

Principle 6 – Least Restrictive Environment

After the IEP is developed or reviewed, the IEP team must decide where the IEP services are to be provided. Consideration begins in the general education classroom for school age students. The specific areas addressed in principle six are placement decisions, consent for initial placement, least restrictive environment procedures, preschool children, and LRE related issues.

Steering Committee Self-Assessment Summary

Data sources used:

- School district information,
- Parent surveys
- Student survey
- File reviews

Meets Requirements

The steering committee determined that children in the Garretson School District receive services in the least restrictive environment with the supports they need for their successful participation. Removal from education in age-appropriate general classrooms is not done solely because of needed modifications in the general curriculum. General education staff participated in an in-service on roles and responsibilities of the general educator in the IEP process and the implementation of modification for student with disabilities this is an ongoing process. An array of services or a continuum of alternative placement options are available to meet the individual needs of each child. The district's comprehensive plan provides procedures for determining placement options using the continuum of alternative placements. Consideration is given to any potentially harmful effects of the placement on the student or on the quality of services.

Validation Results

Promising practices

Through interviews with Garretson school staff, the review team determined that Garretson had two promising practices in this area. The review team finds the following programs to be promising practices.

Meets Requirements

The review team agrees with the findings of the steering committee in that the Garretson School district meets requirement in the area of least restrictive environment.

The Garretson School Wellness program – “Something for Everyone.” The Garretson School Wellness program is a collaborative staff and student program that is built around the premise that healthy bodies make healthy minds. Their focus is on mind, body and self. Staff can voluntarily participate in an incentive award program that incorporates activities based on the three focus areas. Staff earns points toward an end of the year award and hold monthly wellness incentive programs. The student wellness program is based on the same three focus areas as well as the 6 character counts pillars. A “Mileage Club” was formed and a “Yellow Brick Road” track was painted on the school playground for students to keep track of miles earned during recesses. Students become members of the “20 Mile Club” after they completed 20 miles. A monthly “Safety Award” is given to the class that has the least amount of accidents during the month. A

Garretson Blue Dragon Pride Award is given each week to the class that has had the most Blue Dragon Character Counts blue slips awarded to them.

Another promising practice is the Garretson pre-school program, which was observed by the review team. Teachers and staff were also interviewed. The Garretson School District has operated an inclusive preschool since 2000. This program is available to all pre-school aged children residing in the school district. Children with disabilities participate with non-disabled peers in a natural setting. Early intervention is provided to at-risk children as well as children who are on IEPs. This, in turn, can lessen the effects of possible learning difficulties. The inclusive nature of the preschool gives children with disabilities a chance to interact in a positive manner with their peers, as well as giving non-disabled children the chance to develop sensitivity and empathy for others. The Garretson school district has been able to document that since the preschool has been in existence the number of referrals for children in kindergarten and first grade have decreased. Although the overall number of referrals has not decreased, they are occurring at an earlier age. Studies have shown that early intervention is correlated with positive outcomes for children with learning difficulties.